United Nations A/RES/64/239

General Assembly

Distr.: General
28 January 2010

Sixty-fourth session
Agenda item 143

Resolution adopted by the General Assembly

[on the report of the Fifth Committee (A/64/592)]

64/239. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

I

Second performance report on the budget of the International Criminal Tribunal for Rwanda for the biennium 2008–2009

Having considered the second performance report of the Secretary-General on the budget, for the biennium 2008–2009, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Criminal Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which were resolutions 62/229 of 22 December 2007 and 63/254 of 24 December 2008,

1. *Takes note* of the second performance report of the Secretary-General on the budget, for the biennium 2008–2009, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations

[1] A/64/538.

[2] See A/64/555.

Please recycle

of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Endorses* the conclusions and recommendations contained in section III.B of the report of the Advisory Committee on Administrative and Budgetary Questions;

3. *Resolves* that, for the biennium 2008–2009, the amount of 305,378,600 United States dollars gross (282,597,100 dollars net) approved in its resolution 63/254 for the financing of the International Criminal Tribunal for Rwanda shall be adjusted by the amount of 840,600 dollars gross (3,224,500 dollars net), for a total amount of 304,538,000 dollars gross (279,372,600 dollars net);

II

Budget of the International Criminal Tribunal for Rwanda for the biennium 2010–2011

Having considered the reports of the Secretary-General on the financing of the International Criminal Tribunal for Rwanda for the biennium 2010–2011[3] and on the revised estimates arising from the effects of changes in rates of exchange and inflation,[4]

Having also considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the reports of the Secretary-General on the financing of the International Criminal Tribunal for Rwanda for the biennium 2010–2011,[3] and on the revised estimates arising from the effects of changes in rates of exchange and inflation;[4]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

3. *Welcomes* the arrest of two further indictees, requests the Tribunal to proceed with their prosecutions from available resources, and requests the Secretary-General, in this respect, to report to the General Assembly on the financial implications of these prosecutions at its next session;

4. *Also welcomes* the work of the Tribunal to ensure the expeditious completion of its mandate and, with regard to the current budget, the commensurate reduction in the cost of the Tribunal;

5. *Recognizes* the critical importance of retaining highly skilled and experienced staff members with relevant institutional memory in order to successfully complete the trials and meet the targets set out in the completion strategy of the Tribunal;

6. *Reaffirms* paragraph 5 of its resolution 63/256 of 24 December 2008, and requests the Secretary-General to utilize his existing authority under the existing

---

[3] A/64/478.

[4] A/64/570.

contractual framework to offer contracts to staff, taking into account the needs of the Tribunal;

7. *Requests* the Secretary-General to explore the possibility of employing at the United Nations, should their services be required, staff who remain with the Tribunal until the completion of its mandate;

8. *Recognizes* the importance of ensuring that the Tribunal retains the courtroom capacity needed for the expeditious completion of all trials, and in this regard, decides that the fourth courtroom shall be funded during the biennium from within the 2010–2011 budget;

9. *Notes* that the Tribunal relies on ad litem judges in the implementation of its completion strategy;

10. *Also notes* that the Secretary-General is conducting a review of conditions of service of ad litem judges at the Tribunal, and anticipates addressing the review at the first part of the resumed sixty-fourth session;

11. *Requests* that future budget proposals of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia be harmonized to facilitate better comparative analysis, particularly with respect to their completion strategies;

12. *Decides* to appropriate to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 a total amount of 245,295,800 dollars gross (227,246,500 dollars net) for the biennium 2010–2011, as detailed in the annex to the present resolution;

13. *Also decides* that the total assessment for 2010 under the Special Account amounting to 121,807,300 dollars shall consist of:

(*a*) 122,647,900 dollars, being half of the estimated appropriation approved for the biennium 2010–2011;

(*b*) 840,600 dollars, being the decrease in the final appropriation for the biennium 2008–2009 approved by the General Assembly in paragraph 3 of section I above;

14. *Further decides* to apportion the amount of 60,903,650 dollars gross (55,199,375 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2010;

15. *Decides* to apportion the amount of 60,903,650 dollars gross (55,199,375 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2010;

16. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 14 and 15 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 11,408,550 dollars approved for the International Criminal Tribunal for Rwanda for 2010.

68th plenary meeting
24 December 2009

Annex

Financing for the biennium 2010–2011 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
Estimated appropriation for the biennium 2010–2011	257 849 900	239 988 300
Revised estimates: effects of changes in rates of exchange and inflation	5 186 500	5 066 200
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(18 421 000)	(18 421 000)
Proposals under the standardized access control project (A/64/532) less the reduction recommended by the Advisory Committee on Administrative and Budgetary Questions	680 400	613 000
Recommendations of the Fifth Committee	—	—
Estimated initial appropriation for the biennium 2010–2011	245 295 800	227 246 500
Total assessment for 2010	**121 807 300**	**110 398 750**
Comprising:		
(a) Requirements representing half of the estimated appropriation for the biennium 2010–2011	122 647 900	113 623 250
(b) Requirements arising from the final appropriation for the biennium 2008–2009	(840 600)	(3 224 500)
Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2010	60 903 650	55 199 375
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2010	60 903 650	55 199 375

United Nations A/RES/64/240

General Assembly

Distr.: General
28 January 2010

Sixty-fourth session
Agenda item 144

Resolution adopted by the General Assembly

[on the report of the Fifth Committee (A/64/593)]

64/240. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

I

Second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2008–2009

Having considered the second performance report of the Secretary-General on the budget, for the biennium 2008–2009, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 62/230 of 22 December 2007 and 63/255 of 24 December 2008,

1. *Takes note* of the second performance report of the Secretary-General on the budget, for the biennium 2008–2009, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Endorses* the conclusions and recommendations contained in section IV.B of the report of the Advisory Committee on Administrative and Budgetary Questions;

[1] A/64/512

[2] See A/64/555

3. *Resolves* that, for the biennium 2008–2009, the amount of 376,232,900 United States dollars gross (342,067,000 dollars net) approved in its resolution 63/255 for the financing of the International Tribunal for the Former Yugoslavia shall be adjusted by the amount of 12,655,400 dollars gross (3,623,900 dollars net), for a total amount of 388,888,300 dollars gross (345,690,900 dollars net);

II

Budget of the International Tribunal for the Former Yugoslavia for the biennium 2010–2011

Having considered the reports of the Secretary-General on the financing of the International Tribunal for the Former Yugoslavia for the biennium 2010–2011[3] and on the revised estimates arising from the effects of changes in rates of exchange and inflation,[4]

Having also considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[5]

1. *Takes note* of the reports of the Secretary-General on the financing of the International Tribunal for the Former Yugoslavia for the biennium 2010–2011[3] and on the revised estimates arising from the effects of changes in rates of exchange and inflation;[4]

2. *Endorses* the conclusions and recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions,[5] subject to the provisions of the present resolution;

3. *Welcomes* the work of the Tribunal to ensure the expeditious completion of its mandate and, with regard to the current budget, the commensurate reduction in the financing of the Tribunal;

4. *Stresses* the importance of transparency in the presentation of staffing changes;

5. *Emphasizes* that redeployment should not be used to transfer posts to different functional areas;

6. *Takes note* of paragraphs 49 (*a*) to (*d*) of the report of the Advisory Committee on Administrative and Budgetary Questions, and decides not to accept the redeployment and reclassification of staff as set out in paragraphs 72 to 74 of the report of the Secretary-General on the financing of the Tribunal for the biennium 2010–2011;

7. *Decides* to establish the following posts:

(*a*) One P-5 Chief of the Immediate Office of the Registrar;

(*b*) One P-4 Legal Officer for the Immediate Office of the Registrar;

(*c*) One P-3 Legal Officer for the Immediate Office of the Registrar;

(*d*) One P-4 Head of the Press and Information Office;

(*e*) One P-3 Registry Liaison Officer in Zagreb;

---

[3] A/64/476.

[4] A/64/570.

8. *Emphasizes* that general temporary assistance positions shall be provided to replace posts while their functions are required;

9. *Requests* that future budget proposals of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia be harmonized to facilitate better comparative analysis, particularly with respect to their completion strategies;

10. *Decides* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 a total amount of 290,285,500 dollars gross (268,265,300 dollars net) for the biennium 2010–2011, as detailed in the annex to the present resolution;

11. *Also decides* that the financing of the appropriation for the biennium 2010–2011 under the Special Account shall take into account the estimated income of 277,500 dollars for the biennium, which shall be set off against the aggregate amount of the appropriation;

12. *Further decides* that the total assessment for 2010 under the Special Account, amounting to 157,659,400 dollars, shall consist of:

(*a*) 145,004,000 dollars, being half of the estimated appropriation approved for the biennium 2010–2011, after taking into account 138,750 dollars, which is half of the estimated income for the biennium of 277,500 dollars;

(*b*) 12,655,400 dollars, being the increase in the final appropriation for the biennium 2008–2009 approved by the General Assembly in paragraph 3 of section I above;

13. *Decides* to apportion the amount of 78,829,700 dollars gross (68,808,900 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2010;

14. *Also decides* to apportion the amount of 78,829,700 dollars gross (68,808,900 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2010;

15. *Further decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 13 and 14 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 20,041,600 dollars approved for the International Tribunal for the Former Yugoslavia for 2010.

68th plenary meeting
24 December 2009

Annex

Financing for the biennium 2010–2011 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Estimated appropriation for the biennium 2010–2011	294 311 100	272 744 600
Revised estimates: effect of changes in rates of exchange and inflation	16 783 000	16 239 800
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(20 171 000)	(20 171 000)
Recommendations of the Fifth Committee	(1637 600)	(1548 100)
Estimated initial appropriation for the biennium 2010–2011	290 285 500	268 264 300
Less:		
Estimated income for the biennium 2010–2011	(277 500)	(277 500)
Total assessment for 2010	**157 659 400**	**137 617 800**
Comprising		
(a) Requirements representing half of the estimated appropriation for the biennium 2010–2011, after taking into account 138,750 dollars, which is half of the estimated income for the biennium 2010–2011 of 277,500 dollars	145 169 000	133 993 900
(b) Requirements arising from the final appropriation for the biennium 2008–2009	12 653 400	3 623 900
Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2010	78 829 700	68 808 900
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2010	78 829 700	68 808 900